

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GULINO, ET AL.,

Plaintiffs,

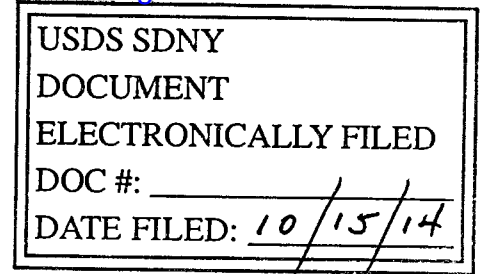
-against-

THE BOARD OF EDUCATION OF THE  
CITY SCHOOL DISTRICT OF THE CITY  
OF NEW YORK,

Defendant.

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WOOD, U.S.D.J.:



96-CV-8414 (KMW)

ORDER

On October 7, 2014, the Court held a hearing to discuss the injunction language both parties proposed to the Court in letters sent on September 11, 2014. During that hearing, the parties agreed to follow-up with the Court on several points. Accordingly, the parties are ordered to provide the Court with the following information by October 23, 2014:

- (1) A copy of a single exemplary administration of each of the following exams: (a) LAST, (b) NTE (Communication Skills), (c) NTE (General Knowledge), (d) NTE (Professional Knowledge), (e) ATS-W, (f) CST, (g) EAS, (h) ALST, (i) EdTPA, (j) any other exam used by the State Education Department to make certification decisions since 1996. *See* Transcript at 3–4.
- (2) An analysis of whether there are certain categories of questions within the LAST that class members tended to get wrong. *See* Transcript at 4–5.
- (3) Specific testimonial excerpts from trial stating that protecting students from having their educational opportunities harmed was not a factor taken into account when the LAST was designed. *See* Transcript at 20–21.

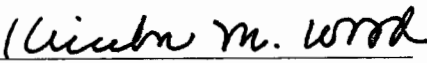
- (4) A statement of approximately how much state and federal funding Defendants would lose were it to exempt class members from having to pass the LAST, *see* ECF No. 490, 492, without a Court injunction ordering it to do so. *See* Transcript 38–40.

The parties should distribute the work required in assembling this information equitably between them.

In addition, the State Education Department stated at the hearing that by October 22, 2014, it would produce to Defendants its suggestion for injunction language, based on the discussions that took place between the parties during the hearing. *See* Transcript 36–37. By October 31, 2014, the City shall provide its suggestion for injunction language to the Plaintiffs. By November 12, 2014, the parties shall submit to the Court the injunction language they have agreed to, or otherwise explain to the Court why they were unable to come to an agreement.

SO ORDERED.

Dated: New York, New York  
October 9, 2014

  
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KIMBA M. WOOD  
United States District Judge